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Management of the Public Lands by the Bureau of Land Management and the U.S. Forest Service

Statement of
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Natural Resources Management Issues
Resources, Community, and Economic
Development Division

Before the
Subcommittee on National Parks
and Public Lands
Committee on Interior and Insular Affairs
House of Representatives

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Dear Mr. Chairman and Members of the Subcommittee:

I am pleased to appear before you today to discuss our work on federal management of the public lands. My remarks today are focused on the activities of the Department of the Interior's Bureau of Land Management (BLM). As you requested, however, at the conclusion of my statement I will briefly discuss the results of several reviews requested by this Subcommittee that address the efforts of the Agriculture Department's U.S. Forest Service.

In summary, our work on BLM spanning more than a decade[1] has demonstrated that BLM has frequently not exercised balanced stewardship over the resources it is mandated to foster, protect, and preserve. While our work has addressed a number of different BLM programs, one consistent pattern has emerged. Because of its historic focus on the needs of special interests rather than on the long-term health of the lands under its jurisdiction, BLM has allowed important natural resources to degrade, in some cases irreversibly. This pattern has led us to conclude that a fundamental change in the agency's management approach and orientation is necessary if substantive progress is to be made. Recent statements and actions by the new BLM Director offer hope that such change may be possible. It remains to be seen, however, whether such actions signal the genuine commitment to balanced stewardship that we believe is needed.

We recognize that some of our past reports have been critical of BLM's performance in administering the statutes for which it is responsible. BLM has not always agreed with our positions; however, we have seen positive signs that a change in philosophy may be occurring. Thus, we stand ready to work with the agency to ensure that the initiatives begun to date are sustained and built

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[1]See attachment for a listing of recent GAO reports and testimonies addressing BLM's public lands management activities.

upon. In this context, I would like to briefly summarize the management principles that the Congress established to guide BLM's activities, update you on the results of our work over the past year addressing BLM's performance, and discuss the signs of possible change in BLM's management approach.

MULTIPLE-USE/SUSTAINED YIELD MANDATE

Recognizing that decades of neglect and mismanagement had seriously damaged millions of acres of public lands, the Congress enacted the landmark Federal Land Policy and Management Act (FLPMA) in 1976. This act set forth the clear expectation that the lands' deteriorated condition would be improved. It also adopted the principles of multiple-use and sustained-yield to guide federal management of these lands.

The multiple-use principle requires BLM to manage the public lands in balanced fashion for the benefit of all uses. In defining this principle the act states that fish and wildlife, recreation, watershed, historical, natural scenic and other values are to be considered along with grazing, mineral development and logging as BLM works out a combination of uses that best meets the present and future needs of the American people. The sustained-yield principle requires BLM to have a long-term perspective in its management actions to ensure that the land's productive capacity is maintained in perpetuity. Under the act, the land should not be abused or have its productivity permanently impaired to maximize short-term commercial output or economic return. In 1978, the Public Rangelands Improvement Act reaffirmed this national policy and commitment.

BLM'S UNBALANCED STEWARDSHIP OF THE PUBLIC LANDS STILL BEING DEMONSTRATED

In previous appearances before this Subcommittee we have testified that BLM's historical deference to the needs of special interests such as livestock permittees and mine operators at the expense of conservation-related objectives had led to agency management actions inconsistent with the principles of multiple-use and sustained-yield. We also noted that because of this management pattern, some of these interests had come to view the use of the public lands not as a privilege conferred by the public at large but as a property right for their private benefit. Such perceptions are important because as they harden and become accepted as established policy, it becomes progressively more difficult to make land management changes that reassert the broader public's interest.

Since our appearance last year we have conducted work on several additional aspects of BLM public lands management that reaffirms our previous findings. For example, in a June 1989 report on BLM's management of the California Desert Conservation Area,[2] we found that the wildlife protection objectives set out for the area had generally not been achieved. After 8 years of effort, nearly one-half of the required wildlife management implementation plans had not been developed. For those plans that had been developed, about half of the required implementation tasks had not been started and many others had only been partially implemented. While the lack of comprehensive data on wildlife populations and trends make it impossible to broadly assess the effects of BLM's performance, we noted that a number of wildlife species are not faring well and some, such as the much publicized desert tortoise, are being threatened with extinction. Consistent with our previous

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[2]California Desert: Planned Wildlife Protection and Enhancement Objectives Not Achieved (GAO/RCED-89-171, June 23, 1989).

reports, we found that BLM's limited progress in this area was largely attributable to inadequate resources and an institutional willingness to allow competing interests, such as livestock grazing and off-highway vehicle recreation, to routinely take precedence over wildlife interests when conflicts arose.

In addition to this report, we are nearing completion of two reviews for this Subcommittee that further demonstrate shortfalls in BLM's program management. With respect to our nationwide review of BLM's performance in preparing land use plans mandated by FLPMA, we have observed a result similar to one we found in our assessment of the California Desert. More than 13 years after FLPMA's enactment, BLM has completed less than half of its required resource plans. More importantly, we have observed that completed plans are often so general that their usefulness in managing the public lands is limited. Additional steps, such as (1) developing implementation schedules that identify when specific BLM management actions will take place, (2) linking implementation actions to the budgetary resources necessary to carry them out, and (3) tracking progress in achieving plan objectives, are needed to ensure that the plans are used as functional management tools.

Concerning our review of BLM's efforts to enforce livestock grazing trespass regulations, we have also tentatively identified a number of important problems. Internal controls to ensure permittee compliance with permit and lease requirements are weak. BLM makes no systematic effort to detect grazing trespass. Enforcement of permit compliance generally receives a low priority; identification of trespass is usually incidental to field visits performed for other reasons. In addition, available range management resources are spread too thin to mount a serious enforcement effort. BLM has about 400 range staff to monitor about 20,000 permittees who graze livestock on about 165 million acres of public rangeland. Many staff are responsible for overseeing grazing activities on more than a half million acres each.

Once trespass is identified, penalties imposed by BLM are generally insufficient to serve as an effective deterrent to future trespass. BLM rarely uses the strongest penalties at its disposal, such as permit suspensions or cancellations, and the monetary fines it imposes are usually quite small. For example, more than half of the fines for grazing trespass collected in fiscal year 1989 were less than $80.

As requested by this Subcommittee, we have also initiated a survey of BLM grazing policies and practices involving ephemeral vegetation. While our work has been underway only a short time, we have gathered information suggesting that BLM's allocation of this short-lived and periodically available vegetation between domestic livestock and wildlife may not always be providing sufficient forage to sustain certain wildlife species. More work, however, is necessary to confirm this observation.

Finally, in work related to the Federal Onshore Oil and Gas Leasing Reform Act of 1987 we have recently studied how BLM has considered oil and gas development in its land use plans. In September 1989 testimony before the House Interior and Insular Affairs Subcommittee on Mining and Natural Resources,[3] we testified that BLM often makes key oil and gas leasing and development decisions without benefit of adequate information concerning potential environmental impacts. We also pointed out that opportunities exist to increase the amount of acreage leased competitively thereby increasing federal and state oil and gas leasing revenues.

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[3]Implementation of the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (GAO/T-RCED-89-69, Sept. 28, 1989).

SIGNS OF CHANGE BEGINNING TO EMERGE

While not providing conclusive evidence that BLM is altering its fundamental management approach and orientation, recent statements and actions by BLM's new Director make us hopeful that significant improvement is possible. Of particular relevance, the Director has publicly stated that he

-- has a personal commitment to "environmental sensitivity and balanced use of our public lands",

-- is a realist and understands that the public wants more from its public lands than adequately serving the needs of livestock grazers and mineral developers, and

-- plans to manage BLM lands in a fashion that (1) provides improved wildlife habitat vital to maintaining thousands of fish and wildlife species, (2) recognizes the value of riparian areas to the overall health of the public lands, and (3) offers more recreational opportunities.

In addition to these public pronouncements, BLM has taken several specific actions. First, it has named a special assistant to the Director responsible for advising on fish and wildlife issues. Second, it has reversed earlier positions in the California Desert and denied permits indefinitely for several off-road vehicle races and supported listing of the Mojave population of the desert tortoise as an endangered species. Third, it has taken some action to strengthen compliance with its hardrock mining reclamation requirements. Finally, in response to our 1988 report on riparian area management[4] in which we pointed out that BLM staff did not believe top BLM managers would support them in

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[4]Public Rangelands: Some Riparian Areas Restored but Widespread Improvement Will Be Slow (GAO/RCED-88-105, June 30, 1988).

aggressive improvement efforts, the BLM Director has issued a memorandum promising full support for such efforts in the future.

While we see some reason for hope, we recognize that the truest test of BLM's commitment to balanced stewardship of the public lands will be real progress on certain key issues such as reducing widespread overgrazing. On such highly sensitive issues, we realize that the road to progress will not be smooth. Even the actions taken by BLM to date have been met with much resistance from those that have benefitted from BLM's historic management practices. Whether BLM is willing to face this resistance and assert the broader public's interest in management practices more consistent with the multiple-use and sustained-yield principles, only time will tell. We believe, however, that vigilant congressional oversight will be crucial to the improvement process.

RESULTS OF WORK ADDRESSING EFFORTS OF THE U.S. FOREST SERVICE

I would like to turn now to the three recent reports we have issued to you on various aspects of the Forest Service's public lands management. In summary, we found that inadequate funding and staffing have contributed to (1) much of the Service's trail system falling into disrepair, (2) many special recreation areas not meeting their intended objectives, and (3) resource deterioration in some wilderness areas.

In our September 1989 report on the Forest Service's management of trails in the national forests,[5] we stated that there is a backlog of maintenance and reconstruction needs on over half of the Forest Service's 107,000-mile trail system totalling about $195 million. Forest Service supervisors cited insufficient

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[5]Parks and Recreation: Maintenance and Reconstruction Backlog on National Forest Trails (GAO/RCED-89-182, Sept. 22, 1989).

aggressive improvement efforts, the BLM Director has issued a memorandum providing full support for such efforts in the future.

While we see more reason for hope, we recognize that the newest test of BLM's commitment to balanced stewardship of the public lands will be real progress on certain key issues such as reducing widespread overgrazing. On such highly sensitive issues, we realize that the road to progress will not be smooth. Even the actions taken by BLM to date have been met with much resistance from those that have benefitted from BLM's historic management practices. Whether BLM is willing to face this resistance and assert the broader public's interest in management practices more consistent with the multiple-use and sustained-yield principles, only time will tell. We believe, however, that vigilant congressional oversight will be crucial to the improvement process.

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In our September 1988 report on the Forest Service's management of trails in the national forests,[5] we stated that there is a backlog of maintenance and reconstruction needs on over half of the Forest Service's 197,000-mile trail system totaling about $300 million. Forest Service supervisors cited insufficient

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[5]Parks and Recreation: Maintenance and Reconstruction Needs on National Forest Trails (GAO/RCED-89-163, Sept. 22, 1988).

funding and lack of personnel as the primary causes of the backlog. To compensate for insufficient funds and personnel, the Forest Service makes extensive use of volunteers and supplements its funding with outside resources, such as cost-sharing programs and grants. These efforts, while helpful, have costs and limitations, and are unlikely to close the gap between the resources needed and available.

In September 1989 we also issued a report on the Forest Service's management of its vast National Wilderness Preservation System lands.[6] We found that the full extent of resource deterioration in these wilderness areas is not known because information on conditions at many of these areas is lacking. However, our visits to several of these areas, along with the responses of wilderness managers to our questionnaire, indicate that some areas show signs of adverse impact, especially on trails and bridges and around popular camping areas. The majority of the wilderness managers attributed their inability to address these problems to inadequate funding and staffing.

Finally, we have just completed our report on the Forest Service's management of special recreation areas.[7] We found that many of the Forest Service's special recreation areas have not been developed, operated, and maintained up to the levels and standards called for in Forest Service policy and individual Forest Service plans. Specifically, special recreation area officials reported to us that planned projects at 10 of 20 areas we reviewed have been either delayed or dropped. They also said that visitor information services were inadequate and/or maintenance levels have been reduced at 15 of the 20 areas. As with trails, Forest Service

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[6]Wilderness Preservation: Problems in Some National Forests Should Be Addressed (GAO/RCED-89-202, Sept. 26, 1989).

[7]National Forests: Special Recreation Areas Not Meeting Established Objectives (GAO/RCED-90-27, Feb. 5, 1990).

officials told us that funding shortfalls were often the cause of these problems.

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Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to any questions you or other members of the Subcommittee may have.

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